



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON, D.C. 20370-5100

TRG  
Docket No: 3787-00  
21 December 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 December 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you reenlisted in the Navy on 22 August 1975 for four years and subsequently extended that enlistment for six months. The record shows that during the period 30 September 1975 to 31 November 1976 you received three adverse performance evaluations. In addition, on 28 August 1976 you received nonjudicial punishment for an unspecified period of unauthorized absence. On 7 November 1977 you were reduced in rate from BM1 (E-6) to BM2 (E-5) by action of the Petty Officer Quality Control Review Board (POQCRB). On 12 February 1979 the Bureau of Naval Personnel denied your request for reinstatement to BM1. The performance evaluation for the period 1 January 1979 to 31 December 1979 is also adverse. On 23 January 1980 you transferred to the Fleet Reserve in the rate of BM2.

Regulations allow for the administrative reduction of petty officers with a series of adverse performance evaluations. The POQCRB considered your case and concluded that you could not perform as a BM1, and that you should be reduced in rate. Given your poor performance record, the Board could not conclude that the POQCRB abused its discretion when it directed your reduction

in rate. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director